CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

DRAFT WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2007-0027

FOR

FOXEN CANYON CLOSED CLASS III LANDFILL
SANTA BARBARA COUNTY

Waste Discharger Identification No. 3 420301002

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds that:

LANDFILL OWNER AND LOCATION

1. The County of Santa Barbara (hereafter "Discharger") operates the Foxen Canyon Closed Class III Landfill (hereafter "Landfill"). The Discharger leases 37.5 acres of land from the Chamberlin Trust (P.O. Box 218, Los Olivos, CA 93441) on which the Landfill is located..

2. The Landfill is located in Santa Barbara County at 4004 Foxen Canyon Road, approximately 2 miles north of the town of Los Olivos as shown in Attachment 1.

3. The Landfill is in Section 10 and 15, Township, Range 31 West, San Bernardino Base & Meridian. The sites latitude and longitude are 34º41'40"N and 120º07'30"W. The assessor's parcel number for the Landfill is 133-151-56.

PURPOSE OF ORDER

4. The Landfill became inactive on July 8, 2003
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5. The Discharger last submitted a Report of Disposal Site Information on January 13, 1998, and updated the Foxen Canyon Landfill Final Closure and Postclosure Maintenance Plan in 2005.

6. Waste Discharge Requirements Order No. R3-2007-0027 (Order) reflects the Landfill's closed status, and establishes requirements for closure, post-closure maintenance and long-term monitoring, pursuant to California Code of Regulations Title 27, Solid Waste (hereafter "Title 27"), effective July 18, 1997, and pursuant to Code of Federal Regulations Title 40, Part 257 and 258 Solid Waste Facility Disposal Criteria, Final Rule, as promulgated on October 9, 1991 (hereafter "40CFR258").

7. The Landfill is currently regulated by Waste Discharge Requirements Order No. 94-32 (hereafter "Order 94-32"), as adopted by the Board on April 8, 1994. The Landfill is also currently regulated by Order No. 93-84 "Waste Discharge Requirements Amendment for All Municipal Solid Waste Landfills in the Central Coast Region" (Super Order). The Super Order updated all Region 3 Landfill WDRs to comply with the federal landfill regulations, 40 CFR Parts 257 and 258. Order R3-2007-0027 replaces Order No. 94-32 and 93-84, and specifically prohibits additional discharge of solid waste at the Landfill.

CLASSIFICATION AND WASTE TYPE

8. The Landfill is classified by the Central Coast Water Board as a Class III landfill approved for discharge of Nonhazardous Solid Waste, pursuant to Tile 27 §20200.

LANDFILL DESCRIPTION AND HISTORY

9. The Landfill is located within 37.5 acres of leased land. The final Subtitle D waste footprint comprises 18.4 acres with the remaining acreage devoted to access roads and facilities devoted to a transfer station. A Site Map and Final Elevation Map are shown in Attachments 2 and 5, respectively.

10. Land adjacent to the Landfill is zoned for agricultural purposes and is generally used for range land and grazing. Nearby land is also used for oil extraction, and crop cultivation. The closest residence is approximately 1 mile southeast of the southern limit of the facility.

11. The average annual precipitation is approximately 15.8 inches based on rainfall data collected at the landfill from 1995-2003. Nearby weather stations CIMIS #64 (1992-2003), SBC 218 (1951-2003) and SBS 233 (1955-2003) have recorded an average annual precipitation of 19.9, 15.5, and 17.3 inches, respectively.

12. The Landfill opened in 1970 to serve the resident of the Santa Ynez Valley. During its 33 years of activity it received waste from the cities of Solvang and Buellton, and the unincorporated towns of Los Olivos, Santa Ynez, Ballard and surrounding rural areas.

13. The Landfill became inactive on July 8, 2003 with approximately 82,000 cubic yards of airspace remaining. Santa Barbara County initially planned to clean close the nearby Santa Ynez Airport Closed Landfill and dispose of the waste in the remaining airspace at the Foxen Canyon Landfill. This option was abandoned on December 5, 2004, as a result of local opposition to removing that waste from the Santa Ynez Airport Landfill site.

14. The method of discharge at the Landfill is area fill and cover. The total waste discharged at the Landfill is estimated to be 1.5 million cubic yards.

15. On July 8, 2003, the Santa Ynez Valley Recycling and Transfer Station opened in the area immediately north of the inactive landfill. The recycling and transfer station will continue to operate following formal closure of the Landfill.

16. The closed Landfill will be maintained as non-irrigated, low-maintenance, undeveloped open space.

GEOLOGY/HYDROGEOLOGY

17. **Setting** – The Landfill is located at the southern end of the Coast Ranges geologic province within a structural block known as the Santa Maria Basin. The site is directly underlain by the Quaternary-age alluvium followed by the Plio-Pleistocene Paso Robles Formation.

18. **Topography** – Elevations at the Landfill (above mean sea level) range from 940 feet at the Landfill toe to 1150 feet at the peaks of the Landfill boundary.

19. **Stratigraphy** – The Paso Robles Formation consists primarily of poorly sorted gravel, sand, and clay. Previous mapping of the Paso Robles Formation at the site performed by EMCON & Associates (1992) identified seven lithologic zones designated from oldest to youngest: F, E, D, C, B, A-1, and A.
    - The F Zone is greater than 250 feet thick and is characterized by coarse sandstone and conglomerate units that are between 10 to 40 feet in thickness.
    - The E Zone consists of approximately 80-feet of soft, yellowish-brown to gray claystone. Minor pebbly interbeds are present but the majority of the zone is of low permeability.
    - The D Zone consists of 30 to 40 feet of sandstone and clayey conglomerate with interbeds of low hardness claystone.
    - The C Zone has a thickness up to 90 feet and is composed of claystone with trace amounts of clayey fine sand The claystone is usually massive with a mottled texture.
    - The B Zone is 30 feet in thickness across the site and contains a sandstone and conglomerate unit with minor claystone interbeds across most of the site grading into claystone in the southeast corner of the site.
    - The A-1 Zone is comprised of claystone, with interbeds of sandstone and conglomerate. The zone is located as a band across the northwest to southeast portion of the site and underlies the central portion of the landfill. It attains a thickness of 45-55 feet thick beneath the central and southern portion of the site.
    - The A Zone has varied thickness from 110 feet beneath the southeast end of the landfill to 200 feet under the southwest corner. This zone is composed of subequal proportions of claystone, sandstone or conglomerate. The claystone is typically massive, of low hardness, with trace amounts of silt, sand, and pebbles.

    The Quaternary-age alluvium is limited to the south end of the Landfill. The alluvium consists of approximately 18 vertical feet of stiff, moist, silty clay, dark brown to black with some fine to

coarse grained pebbles derived from the Paso Robles Formation. The majority of the alluvium beneath the Landfill was removed prior to waste placement.

20. **Structure** – The underlying sediments dip towards the southwest at approximately 5 degrees. Fractures and joints within the surface exposures of the Paso Robles Formation have not been observed.

21. **Permeabilites** – Based on the zones described above, Zones A, A-1, C and E are low permeable claystone units which act to restrict water movement between the water bearing B, D, and F Zones, respectively. Zones A, A-1, C and E reportedly have conductivities ranging from 1 x 10^{-7} and 7.7 x 10^{-8}. Zone D is reported to have the highest insitu hydraulic conductivity with a range between 1.1 x 10^{-3} to 3.2 x 10^{-3}.

22. **Faulting** – Several known active faults lie within 10 miles of the Foxen Canyon Landfill including the Los Alamos fault located 1 mile from the site, the Nacimiento fault located 9 miles from the site, and the Santa Ynez fault located 8 miles from the site. A GeoSyntec 2005 Seismic Hazard Evaluation calculates a peak ground acceleration of approximately 0.9g resulting from a max credible earthquake of 6.8 on the Richter scale at the Los Alamos fault.

23. **Hydrogeology** – The Paso Robles Formation, the primary formation under and adjacent to the Landfill, is located in the Santa Ynez Upland Ground Water Basin. The Formation is the primary source of drinking water in portions of Santa Barbara County. Groundwater at the site is encountered within the Paso Robles Formation at depths in excess of 225 feet. There are localized perched zones at depths of 150 feet below ground surface within discrete layers of the Paso Robles Formation. The perched groundwater generally flows towards the south and southeast.

SURFACE WATER AND GROUNDWATER

24. The Landfill is not in the 100 year flood plain. The watershed surrounding the Landfill totals 44 acres.

25. Surface water runoff from the Landfill is controlled by engineered slopes and drainage structures. The topdeck has a uniform slope of three percent. Benches have a width of twelve feet, a six percent cross fall and a slope rate of four to six percent with flow lines reinforced with geosynthetic erosion matting. A Final Elevation Map is shown in Attachment 5.

26. On-site drainage flows around the northern and southern slopes of the Landfill towards the east. Runoff from these two areas passes through culverts to separate sedimentation basins. The water from the sedimentation basins then drains through a culvert to Foxen Canyon Creek, which in turn drains into Alamo Pintado Creek approximately three miles south of the site. Alamo Pintado Creek flows south into the Santa Ynez River.

27. The Landfill has five active groundwater monitoring wells MW3, MW4, MW8, MW9 and MW10; two lysimeters: LY1 and LY2; and a surface water monitoring point SWMP1 as shown on Attachment 3.

28. Prior to issuance of the previous Order No. 94-32, quarterly monitoring indicated the possible presence of volatile organic compounds in perched ground water and the vadose (unsaturated) zone. The discharger was required to perform an evaluation monitoring program and propose a corrective action program. The Discharger submitted a Proposed Evaluation Monitoring Program on March 10, 1995, and an Engineering Feasibility Study Corrective Action Plan on September 13, 1996. The reports indicated that landfill gas was believed to be impacting the vadose zone and perched groundwater. Proposed corrective action included the construction of a landfill gas collection system, with the possibility of a leachate cut-off barrier and/or passive gas vent in the form of gravel filled trench.

29. Based on recent monitoring gas extraction appears to have reduced gas migration and the impact of the perched groundwater zone significantly.
    - The monitoring wells have been consistently nondetect for volatile organic compounds (VOCs) except for MW10 which has consistently had PCE detected with a high of 3.0 ppb in 06/01/98 to the most recent detection at 1.32 ppb on 05/12/05.
    - The lysimeters have been inconsistent at providing enough water to analyze over the last three years. VOCs were regularly

detected in LY1 prior to 1998 and inconsistently since, with detections for acetone (90 ppb on 3/9/99), 1,4-Dichlorobenzene (10.1 ppb and 6.12 ppb on 6/13/02 and 9/20/02, respectively), MTBE (trace on 3/27/02), and Dimethlydisulfide (24 ppb and 13.339 ppb on 7/25/00 and 8/14/01, respectively). Since 2003 only one sample was available from LY1 and it was nondetect for VOC's. VOC's have been regularly in LY2 detected since 1998 but a sample has not been available from the lysimeter since 2003. This Order requires the Discharger to evaluate the current monitoring network and corrective action taken and propose improvements if necessary. Additionally, installation of the final cover is expected to reduce the infiltration of water into the waste and minimize both production of leachate and gas.

30. The only offsite production well known to exist within 1 mile of the Landfill is located approximately 1 mile to the south of the Landfill. Its history and usage are unknown

BASIN PLAN

31. The Water Quality Control Plan, Central Coast Basin (Basin Plan), was adopted by the Regional Board on September 8, 1994, and approved by the State Water Resources Control Board on November 17, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State Waters. This Order implements the water quality objectives stated in that Plan.

32. The Basin Plan identifies the following present and anticipated beneficial uses of the Santa Ynez River downstream of the Landfill:

    a. Municipal and domestic supply
    b. Agricultural supply
    c. Industrial supply
    d. Groundwater recharge
    e. Water contact recreation
    f. Non-contact water recreation
    g. wildlife habitat
    h. Cold fresh water habitat
    i. Warm fresh water habitat
    j. Migration of aquatic organisms
    k. Spawning, reproduction, and/or early development
    l. Rare, threatened, or endangered species
    m. Freshwater replenishment
    n. Commercial and sport fishing

33. The Basin Plan identifies the following present and anticipated beneficial uses of groundwater in the vicinity of the Landfill:

    a. Agricultural water supply
    b. Municipal and domestic water supply
    c. Industrial use

CALIFORNIA ENVIRONMENTAL QUALITY ACT

34. This Order requires compliance with other regulations and orders, contains prohibitions, discharge specifications, water quality protection standards, and provisions intended to protect the environment by mitigating or avoiding impacts of the project on water quality. This Order is for an existing facility and therefore is exempt from provisions of the California Environmental Quality Act (Public Resources Code, §21000, and et seq.) in accordance with Title 14, Chapter 3, §15301.

GENERAL FINDINGS

35. Due to the Paso Robles Formation underlying the Landfill's waste management units, the Landfill does not meet the geologic setting requirements of Title 27 §20250(b)(1) regarding preventing waste from posing a threat to water quality.

36. The Discharger submitted an Alternative Final Cover Feasibility Study in February 2005. The Executive Officer on May 4, 2005 approved the use of a 4-foot Evapotranspirative Final Cover for the Landfill including the use of up to 1 foot of interim cover (dependent upon Executive Officer approval and final construction quality assurance) as part of the final cover. On February 16, 2006, the Executive Officer approved the use of interim cover as final cover for a ¼ acre area on the South Embankment. Final cover design is diagramed in Attachment 4.

37. The goal of closure, including but not limited to the installation of a final cover, is to minimize infiltration of water into the waste, thereby minimizing production of leachate and gas. After

closure, the final cover constitutes the Landfill's principal waste containment feature.

38. The goal of post-closure maintenance is to assure the Landfill continues to comply with Title 27 and 40CFR258 closure requirements and the goal described in the prior Finding, until such time as the waste in the Landfill no longer constitutes a potential threat to water quality.

39. This Landfill is included in Santa Barbara County's Solid Waste Management Plan and is also regulated by the Santa Barbara County Public Health Department Enviromental Health Services (Local Enforcement Agency), and California Integrated Waste Management Board.

40. On February 22, 2007, the Water Board notified the Discharger and interested agencies and persons of its intent to issue Waste Discharge Requirements for the closed Landfill, and has provided the opportunity to review a copy of the proposed Order and submit written views and comments.

41. After considering all comments pertaining to this discharge during a public hearing on May 11, 2007, this Order was found consistent with the above findings.

IT IS HEREBY ORDERED pursuant to authority in §13263 of the California Water Code, the Discharger, its agents, successors, and assigns in maintaining the closed Foxen Canyon Class III Landfill, shall comply with the following:

A. COMPLIANCE WITH OTHER REGULATIONS AND ORDERS

1. Discharge of waste, closure, post-closure maintenance and long-term monitoring shall comply with all applicable requirements contained in the California Code of Regulations Title 27, Division 2 Solid Waste (Title 27) and 40 CFR Parts 257 and 258 Solid Waste Facility Disposal Criteria (40CFR258). If any applicable regulation requirements overlap or conflict in any manner, the most water quality protective requirement shall govern in all cases, unless specifically stated otherwise in this Order, or as directed by the Executive Officer.

2. The Discharger shall monitor potential releases from the Landfill to surface water runoff by complying with all requirements contained in the "State Water Resources Control Board Water Quality Order No. 97-03-DWQ National Pollutant Discharge Elimination System General Permit No. CAS000001 Waste Discharge Requirements for Discharge of Storm Water Associated with Industrial Activities Excluding Construction Activities" (General Permit).

B. PROHIBITIONS

1. Discharge of wastes at the Landfill is prohibited, except as provided in an Executive Officer approved Closure and Post-Closure Maintenance Plan for the Landfill.

2. Discharge of waste or leachate to ponded water or waters of the State, including groundwater, is prohibited.

C. SPECIFICATIONS

1. The Discharger shall ensure the Landfill remains closed and maintain the Landfill in conformance with the Central Water Board Executive Officer approved Closure Plan, except where the plan conflicts with this Order. In the event of conflict, this Order shall govern in cases where it is more protective of water quality. Any changes to the Closure Plan that may affect compliance with this Order must be approved by the Executive Officer.

2. Closure and containment systems shall be as follows: All landfill waste disposal areas at final elevations shall receive final cover pursuant to CCR Title 27, Section 21090, which meets either a. or b. below:

   a. Prescriptive Cover System:
      - Minimum two-foot thick foundation layer placed over waste, compacted to maximum density obtainable at optimum moisture conditions [CCR Title 27, Section 21090 (a)(1)].
      - For units that have not been equipped with a Subtitle D composite liner system, a low hydraulic conductivity layer, consisting of one-foot thick compacted clay with a hydraulic conductivity of $1x10^{-6}$ centimeter per second or less.
      - For units that have been equipped with a Subtitle D composite liner system, a low hydraulic conductivity layer equal to or

less than the hydraulic conductivity of the bottom liner system.
- At least one foot of soil capable of supporting vegetation, resisting erosion, and protecting the underlying low hydraulic conductivity layer.

b. An engineered alternative final cover design, approved by the Executive Officer. Engineered alternative designs must satisfy the performance criteria in 40 CFR Parts 257 and 258, and satisfy the criteria for an engineered alternative to the above prescriptive design, as provided by CCR Title 27.

3. All Landfill containment structures and drainage facilities shall be designed, constructed, and maintained to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout, overtopping, and damage due to natural disasters (e.g., 100 years 24-hour precipitation, the maximum probable earthquake, and severe wind storms).

4. The Discharger shall install at least two permanent monuments, installed by a licensed land surveyor, from which the location of all wastes, containment structures, and monitoring facilities can be determined throughout the post-closure maintenance period. Cumulative waste subsidence and settlement of areas where final cover is installed shall be documented in the annual report.

5. Condensate or leachate handling systems shall:

   a. Be returned to only a waste management unit equipped with a containment system that meets or exceeds the performance standard of CCR Title 27, CFR, Part 258.40(a)(2), or in this order, whichever is more protective of water quality;
   b. Be measured by volume and recorded on a monthly basis. These monthly volumes shall be included as a part of monitoring submittals as required in the most recent Monitoring and Reporting Program;
   c. Have a second containment system sized to hold 100% of the primary containment system holding capacity;
   d. Be discharged in compliance with this Order.
   e. Condensate or leachate shall not be discharged within 48 hours of any forecasted rain event.
   f. If condensate or leachate is found to be detrimental to the cover vegetation, another appropriate means of disposal shall be used.

6. Methane and other landfill gases shall be adequately vented, removed from the Landfill, or otherwise controlled to prevent the danger of explosion, adverse health effects, nuisance conditions, or the impairment of beneficial uses of water due to migration through the vadose zone. Discharger shall comply with all gas control requirements pursuant to Title 14.

7. All landfill surfaces and working faces shall be graded and operated to minimize rainfall infiltration into wastes, to prevent ponding of water, and to resist erosion. Positive drainage to divert rainfall runoff from areas containing waste shall be provided.

8. Storage facilities associated with precipitation and drainage control systems shall be emptied immediately following each storm, or otherwise managed, to maintain the design capacity of the system.

9. Throughout the post-closure maintenance period, the Discharger shall:

   a. Maintain the structural integrity and effectiveness of all containment structures, and maintain the final cover as necessary to correct the effects of settlement or other adverse factors.
   b. Maintain monitoring systems as specified in this Order.
   c. Prevent erosion and related damage of the final cover due to drainage.
   d. Protect and maintain surveyed monuments.

10. Discharge of waste shall not cause the release of pollutants, contaminants, or waste constituents in a manner, which could cause a condition of pollution or contamination to occur.

11. Discharge of waste shall not create nuisance, as defined by California Water Code §13050(m).

12. The Discharger shall prevent formation of a habitat for carriers of pathogenic microorganisms.

13. Wastes discharged in violation of this Order, shall be removed and relocated.

14. The Post-Closure Maintenance Period and Compliance Period, pursuant to Title 27 §20380(d)(1), §20410, and §20950, and 40 CFR 258.61 (a), is a minimum of thirty years or until waste discharged at the Landfill no longer poses a threat to water quality. The Post-Closure Maintenance Period start date shall correspond with the later of:
    - The final closure construction completion date; or,
    - The date the Executive Officer approves all documents, pursuant to Title 27 [i.e., §20323 – Construction Quality Assurance Plan, §20324(a) – Construction Quality Assurance Performance Standards, §20324(d)(1)(C) – Final Documentation Report and §21760(a)(1) – As Built Plans].

D. WATER QUALITY PROTECTION STANDARDS

1. The discharge of waste shall not cause a statistically significant difference in water quality over background concentrations for proposed Concentration Limits for each Constituent of Concern or Monitoring Parameter (per MRP No. R3-2007-0027) at the Point of Compliance. The Concentration Limits shall be maintained for as long as the waste poses a threat to water quality. Discharge of waste shall not adversely impact the quality of State waters.

2. Discharge of waste shall not cause concentrations of chemicals and radionuclides in groundwater down-gradient of the Landfill to exceed the State Department of Health Services latest recommended Drinking Water Action Levels or Maximum Contaminant Levels of the California Code of Regulations Title 22, Division 4, Chapter 15, Article 5.5.

3. Discharge of waste shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board.

4. Discharge of waste shall neither cause nor contribute to any surface water impacts, including, but not limited to:
    a. Floating, suspended, or macroscopic particulate matter or foam.
    b. Increases in bottom deposits or aquatic growth.
    c. An adverse change in temperature, turbidity, or apparent color beyond natural background levels.
    d. The creation or contribution of visible, floating, suspended, or oil or other products of petroleum origin.
    e. The introduction or increase in concentration of toxic or other pollutants/contaminants resulting in unreasonable impairment of State waters' beneficial uses.

5. Constituents of Concern and monitoring parameters for groundwater and landfill gas are listed in MRP No. R3-2007-0027. Monitoring points and background monitoring points shall be those specified in MRP No. R3-2007-0027. Performance monitoring specifications for the alternative cover design are included in MRP No. R3-2007-0027.

E. PROVISIONS

1. Order No. 94-32, adopted by this Water Board on April 8, 1994, is hereby rescinded and the Landfill is no longer subject to Order No. 93-84.

2. The Discharger is responsible for waste containment, monitoring and correcting any problems resulting from the discharge of waste for as long as the waste poses a threat to water quality.

3. The Discharger shall comply with "Monitoring and Reporting Program (MRP) No. R3-2007-0027," as specified by the Executive Officer.

4. By **October 1, of each year**, all necessary runoff diversion and erosion prevention measures shall be implemented. All necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed.

5. By **October 1, of each year**, vegetation shall be planted (as necessary) and maintained over all slopes within the entire Landfill area to prevent erosion. Vegetation shall be selected to require a minimum of irrigation and maintenance and shall have a rooting depth consistent with cover design. Upon Executive Officer approval, non-hazardous sludge may be utilized as a soil amendment to

promote vegetation. Soil amendments and fertilizers (including wastewater sludge) used to establish vegetation shall not exceed the vegetation's agronomic rates (i.e., annual nutrient needs), unless approved by the Executive Officer.

6. By **December 31, 2007**, the Discharger shall complete closure construction at the landfill per an Executive Officer approved closure plan [Specification No. C.1].

7. Should additional data become available through monitoring or investigation that indicates compliance with this Order is not adequately protective of water quality, the Regional Board will review and revise this Order as appropriate.

8. If the Discharger or the Regional Board determines, pursuant to Title 27, §20420, that there is evidence of a release from any portion of the Landfill, the Discharger shall immediately implement the procedures outlined in Title 27 Sections 20380, 20385, 20430 and MRP No. R3-2007-0027.

9. The Water Board shall be allowed, at any time and without prior notification:

    a. Entry upon the Landfill area or where records are kept under the conditions of this Order and MRP No. R3-2007-0027.
    b. Access to copy any records that must be kept under the conditions of this Order and MRP No. R3-2007-0027.
    c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order and MRP No. R3-2007-0027.
    d. To photograph, sample, and monitor for the purpose of showing compliance with this Order.

10. The Discharger shall take all reasonable steps to minimize or correct adverse impacts on the environment resulting from non-compliance with this Order.

11. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:

    a. Violation of any term or condition contained in this Order.
    b. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts.
    c. A change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge.
    d. A material change in character, location, or volume of the waste being discharge to land.

REPORTING

12. Upon completing construction of the Landfill closure, pursuant to Title 27 §21170, file with the Santa Barbara County Recorder a detailed description of the closed Landfill, including a map. The description must include at a minimum: the date that closure was completed; the boundaries including height and depths of the filled area; if the site was closed in increments, the boundaries of each waste management unit; the location where the closure and postclosure plans can be obtained; and, a statement that the future site use is restricted in accordance with the postclosure maintenance plan.

13. Any person signing a report makes the following certification, whether its expressed or implied: "I certify under penalty of perjury I have personally examined and am familiar with the information submitted in this document and all attachments and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

14. Except for data determined to be confidential under §13267 (b)(2) of the California Water Code, all reports prepared in accordance with this Order shall be available for public inspection at the Regional Board office.

15. Reports shall be submitted in advance of any planned changes in the permitted Landfill or any activity that could potentially result in noncompliance. Advance submittal should reflect relative need for Regional Board review and concurrence.

16. The Discharger shall notify the Water Board with a written request of any proposed change in ownership or responsibility for construction or

operation of the Landfill in accordance with Title 27, §21710 (c)(1). The written request shall be given at least 90-days prior to the effective date of change in ownership or responsibility and shall:

a. Be accompanied by an amended Report of Waste Discharge and any technical documents that are needed to demonstrate continued compliance with these Waste Discharge Requirements.
b. Contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Regional Board.
c. Contain a statement indicating that the new owner or operator assumes full responsibility for compliance with this Order.

17. Request for change in ownership or responsibility may be approved or disapproved in writing by the Executive Officer. In the event of any change in ownership of this Landfill, the Discharger shall notify the succeeding owner or operator, in writing, of the existence of this Order. A copy of that notification shall be sent to the Executive Officer.

18. The Discharger shall furnish, within a reasonable time, any information the Executive Officer may request to determine compliance with this Order or to determine whether cause exists for modifying or terminating this Order.

19. The Discharger or persons employed by the Discharger shall comply with all notice and reporting requirements of the State Department of Water Resources and with concurrence of the Executive Officer regarding the construction, alteration, destruction, or abandonment of all monitoring wells used for compliance with this Order or with the MRP No. R3-2007-0027, as required by §13750.5 through §13755 and §13267 of the California Water Code.

20. Should the Discharger discover that it failed to submit any relevant facts or that it submitted incorrect information, it shall promptly submit the missing or corrected information.

21. All reports shall be signed as follows:

a. By either a principal executive officer or ranking elected official.
b. Their "duly authorized representative."
c. A California Registered Civil Engineer or Certified Engineering Geologist must sign engineering reports.

22. The Discharger shall notify the Executive Officer, within 24 hours by telephone and within 14 days in writing, of:

a. Any noncompliance potentially or actually endangering health or the environment.
b. Any flooding, equipment failure, slope failure, or other change in Landfill conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
c. Leachate seep occurring on or in proximity to the Landfill
d. Violation of a Discharge Prohibition.

23. Reports of compliance or noncompliance with, or any progress reports on, final requirements contained in any compliance schedule shall be submitted within 14-days following each scheduled date. If reporting noncompliance, the report shall include a description of:

a. The reason for non-compliance.
b. A description of the non-compliance.
c. Schedule of tasks necessary to achieve compliance.
d. An estimated date for achieving full compliance.

24. Any noncompliance, which threatens the Landfill's containment integrity, shall be promptly corrected. Correction schedules are subject to the approval of the Executive Officer, except when delays will threaten the environment and/or the Landfill's integrity (i.e., emergency corrective measures). Corrections initiated prior to Executive Officer approval shall be so stated in the above described report.

25. By **October 1 of each year**, the Discharger shall submit a Wet Weather Preparedness Report (WWPR). The WWPR shall describe compliance with Provisions E.4 and E.5, above. The report shall also detail preparedness actions taken to ensure discharges to surface or groundwater do not occur during the impending rainy season, and ensure compliance with all other relevant Title 27 and 40CFR258 criteria.

26. By **January 31 of each year**, the Discharger shall submit a Compliance Report addressing compliance with all terms of this Order. The report can be included in the Landfill's Annual Report to the Executive Officer.

27. By **August 10, 2007**, the Discharger shall submit Evaluation Report containing the following:

    a. Define the current vertical and horizontal extent of the VOC pollution in groundwater.
    b. Summarize tabularly and graphically all historical monitoring information documenting both VOC and inorganic groundwater impacts and trends.
    c. Define and evaluate trends for VOCs and inorganic parameters; compare to previously made assumptions and conclusions.
    d. Evaluate the performance of existing corrective actions; propose modification and/or improvements as necessary.
    e. Evaluate the effectiveness of the monitoring well network to evaluate and document background conditions, groundwater impacts, effectiveness of corrective actions, and possible future releases; propose improvements as necessary.

28. By **May 11, 2012**, the Discharger shall submit a Report of Waste Discharge (hereafter "ROWD") pursuant to CCR Title 27 §21710, to the Executive Officer. The ROWD is to be submitted in the form of a Joint Technical Document (hereafter "JTD"), in accordance with Title 27 §21585 et al, and meet the following criteria:

    a. Contain information on waste characteristics, geologic and climatologic characteristics of the Unit and the surrounding region, installed features, precipitation and drainage controls, and closure and post closure maintenance plans, in accordance with CCR Title 27 §21740, §21750, §21760, and §21769.
    b. Include a completed SWRCB JTD Index, in accordance with CCR Title 27 §21585(b),
    c. Discuss whether, in the Discharger's opinion, there is any portion of this Order that is incorrect, obsolete, or otherwise in need of revision.
    d. Include any other technical documents needed to demonstrate continued compliance with this Order and all pertinent State and Federal requirements.
    e. Include detailed information regarding regulatory considerations, operating provisions, environmental monitoring, and closure and postclosure.

ENFORCEMENT

29. The Discharger must comply with all conditions of this Order. Non-compliance violates state law and is grounds for enforcement action or modification of the Order.

30. Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of §13267 of the California Water Code, or falsifying any information provided therein, is guilty of a misdemeanor.

31. The Discharger and any person who violates Waste Discharge Requirements and/or who intentionally or negligently discharges waste or causes or permits waste to be discharged into surface waters or groundwater of the state may be liable for civil and/or criminal remedies, as appropriate, pursuant to Sections 13350, 13385, and 13387 of the California Water Code.

32. Provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.

33. This Order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, does not remove liability under federal, state, or local laws, and does not guarantee a capacity right.

34. All technical and monitoring reports submitted pursuant to this Order are being requested pursuant to §13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer may subject the Discharger to enforcement action pursuant to §13268 of the California Water Code.

35. The Discharger must comply with all conditions of these Waste Discharge Requirements. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or

revocation of these waste discharge requirements by the Regional Board. [CWC Sections 13261, 13267, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350].

36. The Discharger shall comply with the following submittal and implementation schedule for all tasks and/or reports required by this Order.

REPORT AND IMPLEMENTATION DATE SUMMARY

TASK	IMPLEMENTATION DATE
Runoff diversion and erosion prevention [Provision No. E.4]	October 1, of each year
Vegetation placement over entire Landfill area [Provision No. E.5]	October 1, of each year
Complete Closure Construction Activities [Provision No. E.6]	December 31, 2007
File with the Santa Barbara County Recorder [Provision No. E.12]	Upon Completing Closure Construction
REPORT	**DUE DATE**
Wet Weather Preparedness Report [Provision No. E.25]	October 1, of each year
Compliance Report [Provision No. E.26]	January 31, of each year
Evaluation Report [Provision E.27]	August 10, 2007
ROWD/JTD [Provision No. E.28]	May 11, 2012

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 11, 2007.

_____

Executive Officer

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